

The National Wildlife Federation

Testimony Presented by

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Regarding

“Noxious Weed Control Act of 2003”

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Subcommittee on National Parks, Recreation & Public Lands

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About the National Wildlife Federation

The National Wildlife Federation (NWF) is the largest not for profit conservation education and advocacy organization with more than four million members and supporters, and nine natural resources centers throughout the United States. NWF's family also includes forty-six states and territorial affiliate organizations. Founded in 1936, the National Wildlife Federation works for the protection of wildlife species and their habitat, and for the conservation of our natural resources.

Summary

Invaders are irreparably destroying the environment and our natural heritage, costing an estimated, conservative \$138 billion dollars annually, and eroding the quality of life for citizens across the country. Preventing and controlling the spread of invasive species is not merely an environmental protection issue; important economic activities including farming, ranching, recreation, and water resources are also threatened by the spread of invasives.

The Noxious Weed Control Act of 2003 is a good bill for what it does – help remove weeds, including invasive weeds, from public and private lands. NWF supports single species bills but also wants Congress to enact legislation that effectively addresses all invasive species, including aquatic weeds and animal pests. NWF currently supports four bills before the Senate and five before the House of Representatives. These bills address different types of invasive species and provide various solutions. NWF knows that the invasive species problem is complex and broad and will require various solutions. H.R. 2310, Species Protection and Conservation of the Environment Act, will address all types of invasive species on public and private lands; the National Aquatic Invasive Species Act bills will prevent additional aquatic species from invading our waters from a variety of vectors, including ballast water; and the Noxious Weed Control Act addresses noxious weeds on private and public lands.

NWF supports passage of the Noxious Weed Control Act of 2003 as an important part of the overall solution.

NWF comments are provided to help guide an expeditious and effective path forward to prevent new invasions and control populations already established. The following comments are provided regarding the Noxious Weed Control Act of 2003:

- The Case for Action: Benefits of Noxious Weed Control
- S. 144: The Noxious Weed Control Act of 2003
 1. Using the noxious weed definition from the Plant Protection Act
 2. Weed Management Entities
- Limitations of the Noxious Weed Control Act of 2003
 1. Scope of Funded Activities

2. Amount of Funding

- Need for Comprehensive Legislation
- Conclusions

The Case for Action: Benefits of Noxious Weed Control

Non-native weeds cause severe economic and environmental losses. Generally, non-native weeds damage ranches, farms, and natural lands by out-competing and replacing indigenous vegetation. Loss of this vegetation can transform the physical characteristics of the affected landscape as well as eliminate the animal species that depend on the native vegetation. Invasive plants and animals are now widely recognized as the second greatest threat to biological diversity, next to habitat loss. Unlike chemical pollution, invasive organisms continue to reproduce and spread on their own and do not degrade over time. Once introduced, invasive weeds can spread from site to site and region to region without further human assistance. Rare species appear to be particularly vulnerable to the changes wrought by non-native invaders, but even relatively common plants or animals can be driven to near extinction by particularly disruptive invaders. For example, yellow starthistle is crowding out mariposa lily in Hells Canyon, Idaho.

Conservative estimates are that non-native harmful weeds exact a price of hundreds of millions of dollars each year in losses and control costs to the nation's farmers and ranchers. In particular, the Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW) attributed a \$20 billion annual loss in the productivity of our nation's agricultural sector to damages caused by noxious weeds. The Idaho Department of Agriculture has estimated the cost of noxious weed damage on all Idaho lands to be \$300 million annually. A study of the damage caused by leafy spurge in Montana, Wyoming, and North and South Dakota showed a reduction of \$129 million annually to the regional economy and to ranchers' net income. Although we are not aware of any study documenting this issue, losses of this magnitude logically translates to higher costs for consumers of agricultural products.

Non-native harmful weeds also cause severe damage to America's public and private natural areas and wildlands. These are lands set aside for the stated purpose of protecting our natural heritage of plants, animals, and biological communities. Just as farms and ranches are managed for a specific crop or valuable forage, natural areas are managed for certain plants, animals, and other organisms. Weeds prevent achievement of these goals, and ruin the values for which these lands have been dedicated. Invasives such as cheat grass render grasslands more susceptible to fires. Labor-intensive efforts are underway to control the spread of garlic mustard in Sleeping Bear Dunes National Lakeshore and the Huron Manistee National Forest in northern Michigan. Tamarisk, a weed so noxious that it is the subject of stand-alone legislation, alters riparian areas and river flow in the Southwest, and is estimated to cause billions of dollars in losses of water to agriculture, municipalities, hydropower, recreation and wildlife.

Invasive species impact military lands by adversely effecting military operations, with potential to significantly expand, further reducing training lands available and escalating control costs. For example, Marine Corps has 127 invasive species on their installations, and spent \$907,000 in FY02 and \$221,000 in FY03 for control, eradication, or surveys of invasive species. Invasive species render training lands useless (yellow star thistle-Fort Hood), escalate training/operations costs for inspection during movement of materials, alter hydrologic conditions (Salt Cedar throughout the Southwest), and displace endangered species and their habitat thereby reducing ecosystem health and further placing limitations on military training lands use.

S.144: Noxious Weed Control Act of 2003

Organizations and people who have an interest in land, whether an economic interest and/or an interest in natural values, recognize the seriousness of the threat posed by invasive weeds and are eager to take effective action to fight weeds.

S.144 employs the right approach to fighting weeds. It promotes cooperation and control by local public and private stakeholders; it makes funds available to public and private entities; it seeks to stimulate the creation of additional cooperative efforts; and, it funds all activities related to the management or control of noxious weeds.

1. USING THE NOXIOUS WEED DEFINITION FROM THE PLANT PROTECTION ACT

We support the use of the noxious weed definition used in S.144: The term "noxious weed" means any plant or plant product that can directly or indirectly injure or cause damage to crops (including nursery stock or plant products), livestock, poultry, or other interests of agriculture, irrigation, navigation, the natural resources of the United States, the public health, or the environment.

2. WEED MANAGEMENT ENTITIES

Noxious weeds pay no heed to property lines and can only be controlled when neighbors work together. We strongly believe that the structural heart of S.144 is the concept of weed management entities. These entities consist of local public and private landowners who voluntarily come together to fight weeds affecting all their lands. Only these entities are eligible to receive funding under the program. It is anticipated that federal land management agencies will participate with the entities as good neighbors working to fight a common scourge. All stakeholders participating in an entity will come to agreement about a proposal to submit to a state government for approval. The proposals will address harmful weeds on either private, public, or tribal land, or some combination of the three. States will then submit packages of approved proposals to the Department of Interior which will make broad allocations of available funds to the states based on criteria set forth in the statute. Depending on the availability of funds, all projects approved by states may not be funded. .

Weed management entities are not a creation of this bill. They have a demonstrated track record of success in leveraging cooperation on the ground. California has more than 30 such entities. Other states with entities include Arizona, Hawaii, Washington, Oregon, Idaho, Wyoming, Colorado, Florida, Utah, Delaware, and Pennsylvania among others. Cooperative efforts to fight weeds take place in Massachusetts, New York, Illinois, and other states. States are actively using this model: S.144 builds on proven success. It does not seek to impose a different order on those engaged in the states in fighting weeds.

The bill addresses the fact that some states may not be as organized as others to fight weeds. For this reason, incentive payments are made available to stimulate the formation of weed management entities. Additionally, funds are explicitly made available for Indian tribes in recognition of the large land areas they control and the important role tribes play in the fight against invasive weeds.

Local cooperation also occurs across state lines. S.144 recognizes multi-state weed management entities and authorizes funding for them.

Limitations of the Noxious Weed Control Act of 2003

1. Scope of Funded Activities

The Noxious Weed Control Act of 2003 provides funding for education, inventories and mapping, management, and monitoring related to the control or eradication of weeds. However, we are concerned about several important funding gaps that are not addressed.

- Funding for innovative practices is not included, and we urge this Committee to include a provision in its bill. More research needs to be done by experts to determine the most effective methods for controlling weeds, and this bill should support these efforts.
- The bill should explicitly authorize payment for restoration of native vegetation on land damaged by noxious weeds, since proper restoration is one of the most important steps that can be taken to suppress future weed infestations.
- The bill bars payments for projects related to submerged or floating aquatic noxious weeds. Funding should be available for any type of invasive weed control project, not limited to terrestrial weeds.

2. Amount of Funding

There is no existing independent federal funding source to address the issues presented by non-native harmful weeds across private and public lands. The case for an enhanced federal role in providing funding is that existing non-federal sources of funding are inadequate for management of noxious weeds on public and private lands and across state borders.

In 2001, The Nature Conservancy attempted to conduct a survey of states to determine what their funding needs are to fight weeds. The collected information presents an

estimate of the kind of funding twelve states have determined their agencies are capable of using to fight weeds. The information does not address the larger question of how much funding is needed to address the underlying resource issue. In conducting this survey, they learned that many states have made slow progress in determining the scope and cost of weed infestation and damages in their states.

The twelve surveyed states reported an unmet need for funding in excess of \$219 million annually.¹ This works out to be an average of \$18.25 million per state. Multiplying this figure by 50 states yields a total of \$912.5 million. We recognize that the need for funding may not be distributed equally across all the states, and so each state may not need \$18.25 million to address noxious weeds. On the other hand, the \$219 million figure is based on very incomplete information about the degree of infestation in the responding states, and so the required national figure is very likely considerably higher than \$912.5 million. Furthermore, we know this figure does not address what the actual resource need may be, or what the need is for funding on federal lands. In short, the \$912.5 million estimate of national need is very likely a conservative estimate; but it is an estimate with some basis in fact.²

Using the above information and if Congress were to only focus specifically on the issue of noxious weeds, NWF asks Congress to authorize the expenditure of \$400 million through the Noxious Weed Control Act of 2003. An authorization of this amount acknowledges the scope and severity of the problem posed by noxious weeds as a matter of policy, even though the amount is still far short of what is very likely needed in the country.

Is our hope that appropriations for the bill are not drawn from existing accounts, but rather should be drawn from uncommitted funds. Federal land managers need secure sources of funding for managing noxious weeds on their own land. Appropriations for this legislation will be available for those situations in which noxious weeds on federal land also adversely affects neighboring private land, when a weed management entity decides to submit a proposal involving exclusively federal land, and of course situations in which no federal land is involved.

¹ The reporting states and the amount they reported are as follows: California, \$5 million; Hawaii, \$16.3 million; Idaho, \$39.7 million; Kansas, \$19 million; Montana, \$38.3 million; New Mexico, \$4.5 million; Nevada, \$1.8 million; Oregon, \$12.4 million; South Dakota, \$24.7 million; Tennessee, \$22.7 million; Washington, \$24.6 million; and Wyoming, \$10 million.

² The Nature conservancy was not able to systematically collect information about the independent federal need for weed funding. The information for Montana, South Dakota, and Washington includes amounts needed to address weed needs on public lands in those states. See The Nature Conservancy testimony before the National Parks, Recreation & Public Lands Subcommittee of June 19, 2001. See the Nature Conservancy testimony before this Committee on June 19, 2001.

The Need for Comprehensive Legislation

The Noxious Weed Control Act is an important legislative step forward, but terrestrial weeds are only one facet of the invasive species issue. Invasive alien species include a full array of harmful, non-native, terrestrial and aquatic plants, animals and microorganisms that are introduced into an environment in which they did not evolve. Usually, they have no natural enemies to limit their reproduction and spread. Invasive species affect each of our lives, all regions of the U.S., and every nation in the world. Society pays a great price for invasive species – costs measured not just in dollars, but also in unemployment, damaged goods and equipment, power failures, food and water shortages, environmental degradation, increased rates and severity of natural disasters, disease epidemics, and even lost lives.

Invasive species are an issue of the highest concern to all of our organizations. We want Congress to enact legislation that effectively addresses **ALL INVASIVE SPECIES**, including terrestrial and aquatic invasive species, insects, diseases, and animal pests. Currently NWF supports nine bills before Congress that address invasive species. Many of these bills deal with individual invasive species or one invasion pathway; instead, we encourage the committee and Congress to take a comprehensive and prevention-based approach to this issue that severely affects the economic and natural value of our lands. We encourage the committee and the Congress to take a more comprehensive and prevention-based approach to this issue by considering legislation such as the Species Protection and Conservation of the Environment Act, which addresses the broader need for control of invasive species of all kinds.

The constituency of interests negatively affected by all invasive species is striking in its diversity: fishers, boaters, tourism industries, agriculture, hydropower facilities, municipalities and many others all have all been stung by past invasions. Invasive species cause a range of impacts, from ecological to economic. For example: In the Great Lakes one of the most alarming threats comes from invasive non-native plants such as Eurasian water milfoil, non-native fish such as the Eurasian ruffe and round goby, and the zebra mussels. Zebra mussel was brought into the Great Lakes in 1988 through ballast water. In the first years after it arrived (1989 to 1994), Great Lakes industries and municipalities spent \$120 million to unclog water intake pipes blocked by masses of mussels. The U.S. Fish and Wildlife Service has recently estimated the potential economic cost of this single invader at \$5 billion over the next ten years within the Great Lakes region alone.

For agriculture, current estimates put the cost of exotic livestock diseases at \$10 billion per year, and the total cost of agricultural pests, including invasive insects, weeds and livestock diseases, amounts to \$90 billion (Pimentel 2000). Invasive species also represent a primary threat to approximately 50% of endangered species in the U.S., and are well established in more than half of the U.S. National Wildlife Refuges and National Parks. In the past weeks alone, media attention has focused on invasive rats decimating auklet and other sea bird populations in the Aleutian islands, the impacts of the mute swan on the Chesapeake Bay, and the spread of sudden oak death, a pathogen that could decimate a variety of tree species, to nurseries throughout the U.S. These merely add to

the long list of other exotic invaders, including kudzu in the southeast, Dutch Elm disease, the Asian longhorned beetle, the Northern snakehead, Asian carp, the zebra mussel and nutria.

A comprehensive approach to invasive species management is critical, and we provide the following specific recommendations to assist you in developing future legislation that deals comprehensively with invasive species:

- Reducing Introductions of Invasive Species. U.S. efforts to stop the introduction of invasive species have not fully utilized existing authorities and have largely focused on creating a short list of known harmful species to regulate. This approach has not adequately protected our lands, waters and biological diversity. By waiting until species' potential to damage our ecosystems and economy manifest themselves, we miss the most cost effective – and in some instances the only – window of opportunity to prevent their establishment or eradicate them. All species intentionally imported into the United States must be evaluated for invasiveness prior to import, and those known to be invasive or those likely to harm native biodiversity, ecosystems and other important resources should be kept out. The federal government must also do a more thorough job to prevent inadvertent introductions through major pathways.
- Imposing import restrictions where risks outweigh benefits. Import restrictions are needed to deal with imports of exotic species that present significant threats to human health or the environment far beyond their ornamental value or other social benefits. The burden of proof that a species – or any unseen pests that the species might harbor -- does not pose significant threat to human health or the environment must be the responsibility of the importer, and must be proven before importation. Prevention should be the focus, particularly in areas of high risk or potential scientific uncertainty about the impacts of a particular species. For example, this could include restrictions on new imports of species known to host a virus or disease that is closely related to a known human pathogen. Also, determinations of harm should be made for invasive species already permitted in the U.S.
- Controlling key pathways for introduction. Prevention measures should focus on key pathways for the introduction of harmful exotic animals, as opposed to the more laborious species by species approach. Pathways can include various modes of transportation as well as imported animals, live food products and plants.
- Developing screening approaches. For areas and pathways where imports are permitted, authorities should develop supplementary screening approaches to evaluate potential adverse impacts to human health and the environment. However, developing effective screening protocols requires significant investment in research, because the qualities of invasiveness and the ability of diseases to jump species are difficult to predict. Further research is necessary regarding the

environmental and health impacts of invasive species, and decisions to allow imports should be based on thorough scientific assessments.

- Coordinating control efforts domestically. Any new programs or legislation to control the import of exotic species must be placed within the context of existing regulations, whether it is for protecting agriculture and plant health or for preventing trade in endangered species.
- Coordinating control measures regionally. Focusing on controlling alien species at U.S. borders by themselves is inadequate to control trade and introductions. While pursuing domestic measures to prevent introductions, the U.S. also needs to engage with Canada and Mexico to ensure a consistent and coordinated regional approach to regulating and managing intentional introductions within North America.
- Advocating strong international rules. Congress and U.S. representatives need to promote rules within the negotiation and implementation of regional and international trade and environmental agreements that will ensure appropriate sanitary levels and means to protect human health and the environment.
- Ensuring financial responsibility for impacts. Appropriate mechanisms and incentives need to be put in place to ensure that those importing and/or housing species with potential adverse impacts assume financial and legal responsibility for adverse impacts. Otherwise, public agencies and the taxpayer ultimately bear the burden.

Conclusion

The Noxious Weed Control Act is an important step forward to stop the spread of invasive noxious weeds and we support this legislation. NWF stresses the need for immediate action – time is not on our side. The threat of invasive species introductions is growing with the increase of international trade. Invasive species can permanently, and often dramatically, alter the natural resources of the United States and impose continually increasing economic costs. It is imperative that we stop as many of these invaders as possible, as soon we can.

The impacts invasive species have on our economy and environment are clear. Our concern is that invasive non-native species can so radically change an area's physical and biological environment that the habitat requirements for native plants and animals no longer exist. After habitat loss, invasive species are the second greatest threat to native species. At least 5,000 non-native species, including more than 2,100 exotic plants and 2,000 insects, have invaded North America since the arrival of European explorers. Many of these species have been harmful to native wildlife and ecosystems. They overwhelm native species for food, space, water and other needs. In some cases these species prey on native species and alter their habitat.

There is near universal consensus that, when it comes to invasive species controls, an ounce of prevention is worth a pound of cure. A “wait and see” approach is particularly unwise, because there is evidence that the accumulation of invasive species is having unpredictable, negative effects and the costs of control are only rising.

It is a tremendous responsibility and challenge to maintain the integrity of our country’s resources. Your leadership on this issue will be critical in determining whether we rise to meet this challenge or fall, to the disappointment of future generations living under a sea of invasive species.

We appreciate the opportunity to appear before this Committee to discuss the issue of the importation of exotic species and their impact on public health and safety.